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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,180	04/24/2001	Hiroyuki Miyake	206347US3	2638
22850	7590	12/21/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			RAMAKRISHNAIAH, MELUR	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/840,180

Applicant(s)

MIYAKE, HIROYUKI

Examiner

Melur Ramakrishnaiah

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-8, 9-17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Imai (GB 2337857) in view of Suzuki et al. (JP411191865A, hereinafter Suzuki).

Regarding claim 2, Imai discloses a holder comprising: a first component holding unit (1B, fig. 1) configured to hold a device in a region without opening on a main surface of a board (2, fig. 1), a second component holding unit (1C, fig. 1) configured to hold another component on the main surface at a location different from a location of the device holding unit, wherein the first and second component units are formed as a single piece, and the first component holding unit to hold a central substantial portion of a surface of device in direct contact to the main surface (page 3, line 9 – page 5, line 2; page 9 lines 3-16; claims 1, 4, 5, 7, 21; fig. 1).

Regarding claim 9, Imai discloses a holder comprising: a first component holding unit (1B, fig. 1) to hold a device on a flat region of a main surface of a board (2, fig. 1), and a second component holding unit (1C, fig. 1) to hold another component on the main surface at a location different from a location of the device holding unit, wherein the first and second component units are formed as a single piece, and the first component holding unit is configured to hold a central substantial portion of a surface

of the device in direct contact to the main surface (page 3, line 9 – page 5, line 2; page 9 lines 3-16; claims 1, 4, 5,7, 21; fig. 1).

Imai differs from claims 2-3 and 9 in that he does not teach the following: first component holding unit holds an image pick-up device.

However, Suzuki discloses solid-state image pickup device and its manufacture which teaches the following: first component holding unit hold an image pick-up device (abstract; figs. 1, 5).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Imai's system to provide for the following: first component holding unit hold an image pick-up device as this arrangement would facilitate mounting different devices to provide additional functionality for Imai's communication device as is obvious to one of ordinary skill in the art at the time invention was made, and as suggested by Imai (page 9, second paragraph).

Regarding claims 4-8, Imai further teaches the following: first component holding unit is in a frame shape with upper and bottom surfaces opened (fig. 1), second component holding unit is configured to hold a receiver, second component holding unit (1C, fig. 1) is configured to hold a display device (4, fig. 1), holder is formed with a resin by integral molding, a portable telephone with holder according to claim 2 (page 3, line 9 – page 5, line 2; page 9 lines 3-16; claims 1, 4, 5,7, 21; fig. 1).

3. Claims 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imai in view of Suzuki as applied to claim 10 above, and further in view of Suso et al. (US PAT: 6,069,648, filed 8-14-1998, hereinafter Suso).

The combination differs from claim 10 in that it does not teach the following: a third component holding unit to hold a display device, wherein the first and second component holding units are disposed next to each other adjacent to an upper region of the third component holding unit, and the first and third component units are connected to each other.

However, Suso teaches the following: a third component holding unit to hold a display device (5, fig. 1), wherein the first (9, fig. 1) and second component holding units (4, fig. 1) are disposed next to each other adjacent to an upper region of the third component holding unit, and the first and third component units are connected to each other (fig. 1, col. 1 lines 49-65).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: a third component holding unit to hold a display device, wherein the first and second component holding units are disposed next to each other adjacent to an upper region of the third component holding unit, and the first and third component units are connected to each other as this arrangement would facilitate to deploy various components of a portable telephone in desired order to suite application needs as though by Suso.

Regarding claims 11-17, the combination teaches the following: first component holding unit in a frame shape configured to surround and hold a periphery of image pick up device (see fig. 1 of Imai and figs. 1, 5, of Suzuki), first component holding unit comprises opened upper and bottom surfaces, second competent holding unit (1C, fig. 1) to hold a receiver, holder is formed with a resin by integral mounding, portable

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telephone provided with holder according to claims, 9, 10 and 14 (page 3, line 9 – page 5, line 2; page 9 lines 3-16; claims 1, 4, 5,7, 21; fig. 1).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 2-17 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Melur Ramakrishnaiah  
Primary Examiner  
Art Unit 2643